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Remarks;

Reconsideration of the application is requested.

Claims 1-16 remain in the application.

In item 2 on page 2 of the Office action, claims 1-3, 5-7, 9-10, and 13-16 have been rejected as being fully anticipated by Calbrix et al. (U.S. Patent No. 5,839,365) (hereinafter "Calbrix") under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 16 call for, *inter alia*:

the copy guide including revolving transport elements, and actuating drives for displacing the revolving transport elements in a lateral direction so as to adapt the transport elements to different positions and widths of material webs.

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It is noted that the corporate assignee of the Calbrix reference is also the assignee of the instant application, and therefore applicant is very familiar with the Calbrix reference.

It is noted that the Examiner's comments in item 2 of the Office action, that the Calbrix reference discloses a copy guide (15) including revolving transport elements (15.1, 15.2) are not accurate for the reasons set forth below.

The Calbrix reference discloses a product guide (15) having two product guiding parts (15.1 and 15.2) (column 2, lines 11-36). As can be seen in Figs. 4 and 5 of Calbrix, the product guide (15) (Fig. 4) or the product guiding parts (15.1 and 15.2) (Fig. 5) are fastened by screws or bolts (21) to bearing brackets (19.1 and 19.2), which are in turn fastened to walls (27,28) by screws or bolts (20). Therefore, the guiding parts (15.1 and 15.2) are rotationally fixed.

Furthermore, Calbrix does disclose mutually cooperating transport tapes (5.1 and 5.2). However, these tapes are disposed downstream from the product guide (15, 15.1, 15.2), and are not part of the product guide (15, 15.1, 15.2).

Instead the product guide (15, 15.1, 15.2) serves to guide the signature into a funnel (31) between the transport tapes (5.1 and 5.2) (column 4, lines 35-41).

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The reference does not show the copy guide including revolving transport elements, and actuating drives for displacing the revolving transport elements in a lateral direction so as to adapt the transport elements to different positions and widths of material webs, as recited in claims 1 and 16 of the instant application. The Calbrix reference discloses a product guide that is rotationally fixed. Furthermore, the Calbrix reference does not disclose any actuating drives used for the product guide. This is contrary to the invention of the instant application as claimed, in which revolving transport elements are provided with actuating drives for displacing the revolving transport elements in a lateral direction.

Since claim 1 is believed to be allowable, dependent claims 2-3, 5-7, 9-10, and 13-15 are believed to be allowable as well.

In item 4 on page 4 of the Office action, claim 4 has been rejected as being fully anticipated by Calbrix (U.S. Patent No. 5,839,365) in view of Pautrat (U.S. Patent No. 6,513,427) under 35 U.S.C. § 103. Pautrat does not make up for the deficiencies of Calbrix. Since claim 1 is believed to be allowable, dependent claim 4 is believed to be allowable as well.

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In item 5 on page 5 of the Office action, claim 8 has been rejected as being fully anticipated by Calbrix (U.S. Patent No. 5,839,365) in view of Sarni et al. (U.S. Patent No. 6,295,925) under 35 U.S.C. § 103. Sarni et al. do not make up for the deficiencies of Calbrix. Since claim 1 is believed to be allowable, dependent claim 8 is believed to be allowable as well.

In item 6 on page 5 of the Office action, claims 11 and 12 have been rejected as being fully anticipated by Calbrix (U.S. Patent No. 5,839,365) in view of Burke (U.S. Patent No. 6,146,201) under 35 U.S.C. § 103. Burke does not make up for the deficiencies of Calbrix. Since claim 1 is believed to be allowable, dependent claims 11 and 12 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 16. Claims 1 and 16 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-16 are solicited.


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In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,


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May 30, 2003

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MAY 30 2003

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